

1 A bill to be entitled
2 An act relating to insurance; amending s. 215.555,
3 F.S.; revising the definition of the term "covered
4 policy" to include a coverage amount requested by
5 lenders under specified residential insurance policies
6 in certain circumstances; amending s. 316.646, F.S.;
7 requiring law enforcement officers to access certain
8 information during traffic stops or crash
9 investigations for certain purposes; amending s.
10 320.02, F.S.; authorizing insurance online
11 verification for motor vehicle registration; creating
12 s. 324.252, F.S.; requiring the Department of Highway
13 Safety and Motor Vehicles to establish an online
14 verification system for motor vehicle insurance;
15 providing system requirements; providing powers and
16 duties of the department; providing requirements for
17 insurers and law enforcement officers; providing
18 immunity from liability; prohibiting the use of an
19 online verification request or response for a civil
20 action; providing applicability; providing rulemaking
21 authority; creating s. 324.255, F.S.; creating the
22 Motor Vehicle Insurance Online Verification Task
23 Force; providing duties of the task force; providing
24 membership; providing meeting requirements; requiring
25 the department to provide support; providing report

26 requirements; providing the date by which the task
27 force must complete its work and submit its final
28 report; providing for expiration of the task force;
29 amending s. 624.01, F.S.; adding ch. 647, F.S.,
30 created by this act to the list of statutes composing
31 the Florida Insurance Code; amending s. 626.321, F.S.;
32 amending s. 626.321, F.S.; providing that certain
33 travel insurance licenses are subject to review by the
34 Department of Financial Services, rather than the
35 Office of Insurance Regulation; revising the list of
36 individuals and entities who may apply for such
37 licenses; revising the requirements for such licenses;
38 prohibiting persons from engaging in certain acts
39 unless licensed or registered; providing
40 authorizations and duties of limited lines travel
41 insurance producers and travel retailers; requiring
42 travel retailer registers; providing applicability of
43 penalties; providing fingerprinting and licensing fee
44 requirements; providing instruction or training
45 requirements under certain circumstances; authorizing
46 travel retailers to receive compensation under certain
47 circumstances; providing that limited lines travel
48 insurance producers are responsible for their travel
49 retailers' acts; authorizing persons licensed in major
50 lines of authority as insurance producers to sell,

51 solicit, and negotiate travel insurance; amending s.
52 626.931, F.S.; deleting provisions requiring certain
53 surplus lines agents to file affidavits with the
54 Florida Surplus Lines Service Office; amending s.
55 626.932, F.S.; revising the timeline for the surplus
56 lines agents' tax remittance; amending s. 626.935,
57 F.S.; conforming provisions to changes made by the
58 act; amending s. 627.7295, F.S.; revising the
59 timeframe for insurers' cancellation of motor vehicle
60 insurance policies or contracts for nonpayment;
61 amending s. 627.914, F.S.; requiring certain workers'
62 compensation insurers and self-insurance funds to
63 continue to report certain information; authorizing
64 such reporting to be outsourced under certain
65 circumstances; requiring the office to approve a
66 modified reporting plan; authorizing the office to use
67 certain information for a specified purpose; amending
68 ss. 634.171, 634.317, and 634.419, F.S.; authorizing
69 licensed personal lines or general lines agent to
70 advertise, solicit, negotiate, or sell motor vehicle
71 service agreements, home warranties, and service
72 warranties, respectively, without a sales
73 representative license; providing a directive to the
74 Division of Law Revision; creating s. 647.01, F.S.;
75 providing purpose; providing applicability; creating

s. 647.02, F.S.; providing definitions; creating s. 647.03, F.S.; providing definitions; providing requirements for certain travel insurance premiums for tax purposes; providing duties of travel insurers; creating s. 647.04, F.S.; authorizing travel protection plans to be offered under certain circumstances; creating s. 647.05, F.S.; providing requirements for documents provided to consumers before the purchase of travel insurance; providing requirements for disclosures of preexisting condition exclusions in travel insurance policies and certificates; providing requirements for fulfillment materials and specified information; providing circumstances under which travel protection plan payments may be cancelled for a full refund; providing practices that are not unfair trade practices or violations of law; prohibiting certain practices; providing that persons offering travel insurance to residents of this state are subject to the Unfair Insurance Trade Practices Act; providing that specified provisions supersede such act; providing practices that are unfair insurance trade practices; creating s. 647.06, F.S.; prohibiting certain persons from representing themselves as travel administrators; exempting travel administrators and their employees

101 from certain licensing requirements; providing
102 insurers' responsibilities relating to travel
103 administrators; creating s. 647.07, F.S.; providing
104 classification and filing of travel insurance for
105 purposes of rates and forms; providing eligibility and
106 underwriting standards for travel insurance; creating
107 s. 647.08, F.S.; requiring the Department of Financial
108 Services to adopt rules; providing construction;
109 providing an effective date.

110
111 Be It Enacted by the Legislature of the State of Florida:

112
113 Section 1. Paragraph (c) of subsection (2) of section
114 215.555, Florida Statutes, is amended to read:

115 215.555 Florida Hurricane Catastrophe Fund.—

116 (2) DEFINITIONS.—As used in this section:

117 (c) "Covered policy" means any insurance policy covering
118 residential property in this state, including, but not limited
119 to, any homeowner, mobile home owner, farm owner, condominium
120 association, condominium unit owner, tenant, or apartment
121 building policy, or any other policy covering a residential
122 structure or its contents issued by any authorized insurer,
123 including a commercial self-insurance fund holding a certificate
124 of authority issued by the Office of Insurance Regulation under
125 s. 624.462, the Citizens Property Insurance Corporation, and any

126 joint underwriting association or similar entity created under
127 law. The term "covered policy" includes any collateral
128 protection insurance policy covering personal residences which
129 protects both the borrower's and the lender's financial
130 interests, in an amount at least equal to the coverage for the
131 dwelling in place under the lapsed homeowner's policy, or in an
132 amount at least equal to the coverage amount requested by the
133 lender if the homeowner has been notified in writing of the
134 coverage amount and the homeowner has not requested that the
135 insurer issue the policy in a different amount, if such policy
136 can be accurately reported as required in subsection (5).
137 Additionally, covered policies include policies covering the
138 peril of wind removed from the Florida Residential Property and
139 Casualty Joint Underwriting Association or from the Citizens
140 Property Insurance Corporation, created under s. 627.351(6), or
141 from the Florida Windstorm Underwriting Association, created
142 under s. 627.351(2), by an authorized insurer under the terms
143 and conditions of an executed assumption agreement between the
144 authorized insurer and such association or Citizens Property
145 Insurance Corporation. Each assumption agreement between the
146 association and such authorized insurer or Citizens Property
147 Insurance Corporation must be approved by the Office of
148 Insurance Regulation before the effective date of the
149 assumption, and the Office of Insurance Regulation must provide
150 written notification to the board within 15 working days after

151 such approval. "Covered policy" does not include any policy that
152 excludes wind coverage or hurricane coverage or any reinsurance
153 agreement and does not include any policy otherwise meeting this
154 definition which is issued by a surplus lines insurer or a
155 reinsurer. All commercial residential excess policies and all
156 deductible buy-back policies that, based on sound actuarial
157 principles, require individual ratemaking shall be excluded by
158 rule if the actuarial soundness of the fund is not jeopardized.
159 For this purpose, the term "excess policy" means a policy that
160 provides insurance protection for large commercial property
161 risks and that provides a layer of coverage above a primary
162 layer insured by another insurer.

163 Section 2. Subsection (5) of section 316.646, Florida
164 Statutes, is renumbered as subsection (6), and a new subsection
165 (5) is added to that section, to read:

166 316.646 Security required; proof of security and display
167 thereof.—

168 (5) Upon implementation of the motor vehicle insurance
169 online verification system established in s. 324.252, a law
170 enforcement officer, during a traffic stop or crash
171 investigation, shall access information from the online
172 verification system to establish compliance with this chapter
173 and chapter 324 and to verify the current validity of the policy
174 described on any insurance identification card produced by the
175 operator of a motor vehicle.

176 Section 3. Paragraph (f) is added to subsection (5) of
177 section 320.02, Florida Statutes, to read:

178 320.02 Registration required; application for
179 registration; forms.—

180 (5)

181 (f) Upon implementation of the motor vehicle insurance
182 online verification system established in s. 324.252, the online
183 verification may be used in lieu of the verification procedures
184 in this subsection.

185 Section 4. Section 324.252, Florida Statutes, is created
186 to read:

187 324.252 Insurance online verification system.—The
188 department shall establish an online verification system for
189 motor vehicle insurance. The goal of the system is to identify
190 uninsured motorists and aid the department in the enforcement of
191 the financial responsibility law.

192 (1) The online verification system must:

193 (a) Be accessible through the Internet by authorized
194 personnel of the department, the courts, law enforcement
195 personnel, any other entities authorized by the department, and
196 insurers authorized by the Office of Insurance Regulation to
197 offer motor vehicle insurance.

198 (b) Send requests to insurers for verification of evidence
199 of insurance for motor vehicles registered in this state via
200 online services established by the insurers in compliance with

201 the specifications and standards of the Insurance Industry
202 Committee on Motor Vehicle Administration (IICMVA), with
203 enhancements, additions, and modifications as required by the
204 department. However, the enhancements, additions, and
205 modifications may not conflict with, nullify, or add
206 requirements that are inconsistent with the specifications or
207 standards of the IICMVA.

208 (c) Be operational by July 1, 2023. The Motor Vehicle
209 Insurance Online Verification Task Force established in s.
210 324.255 must conduct a pilot program for at least 9 months to
211 test the system before statewide use. The system may not be used
212 in any enforcement action until successful completion of the
213 pilot program.

214 (d) Be available 24 hours a day, except as provided in
215 paragraph (2)(a), to verify the insurance status of any vehicle
216 registered in this state through the insurer's National
217 Association of Insurance Commissioners (NAIC) company code, in
218 combination with other identifiers such as vehicle
219 identification number, policy number, or other characteristics
220 or markers as specified by the Motor Vehicle Insurance Online
221 Verification Task Force.

222 (e) Include appropriate provisions, consistent with
223 industry standards as specified by the Motor Vehicle Insurance
224 Online Verification Task Force, to secure the system's data
225 against unauthorized access.

226 (f) Include a disaster recovery plan to ensure service
227 continuity in the event of a disaster.

228 (g) Include information that enables the department to
229 make inquiries of evidence of insurance by using multiple data
230 elements for greater matching accuracy, specifically the
231 insurer's NAIC company code, in combination with other
232 identifiers such as vehicle identification number, policy
233 number, or other characteristics or markers as specified by the
234 Motor Vehicle Insurance Online Verification Task Force.

235 (h) Include a self-reporting mechanism for insurers with
236 fewer than 2,000 vehicles insured within this state or for
237 individual entities that are self-insured.

238 (2) The department has the following powers and duties:

239 (a) Upon an insurer's advance notice to the department,
240 the department shall allow online services established by the
241 insurer to have reasonable downtime for system maintenance and
242 other work, as needed. An insurer is not subject to
243 administrative penalties or disciplinary actions when its online
244 services are not available under such circumstances or when an
245 outage is unplanned by the insurer and is reasonably outside its
246 control.

247 (b) Upon recommendation of the Motor Vehicle Insurance
248 Online Verification Task Force, the department may contract with
249 a private vendor that has personnel with extensive operational
250 and management experience in the development, deployment, and

251 operation of insurance online verification systems.

252 (c) The department and its private vendor, if any, shall
253 each maintain a contact person for the insurers during the
254 establishment, implementation, and operation of the system.

255 (d) The department shall maintain a historical record of
256 the system data for 6 months after the date of any verification
257 request and response.

258 (3) An insurance company authorized to issue insurance
259 policies for motor vehicles registered in this state:

260 (a) Shall comply with the verification requirements of
261 motor vehicle insurance for every motor vehicle insured by that
262 company in this state as required by department rule.

263 (b) Shall maintain policyholder records in order to
264 confirm insurance coverage for 6 months after the date of any
265 verification request and response.

266 (c) Shall cooperate with the department in establishing,
267 implementing, and maintaining the system.

268 (d) Is immune from civil liability for good faith efforts
269 to comply with this section. An online verification request or
270 response may not be used as the basis of a civil action against
271 an insurer.

272 (4) A law enforcement officer, during a traffic stop or
273 crash investigation, shall query information from the online
274 verification system to establish compliance with this chapter
275 and to verify the current validity of the policy described on

276 any insurance identification card produced by the operator of a
277 motor vehicle.

278 (5) This section does not apply to vehicles insured under
279 commercial motor vehicle coverage. As used in this subsection,
280 the term "commercial motor vehicle coverage" means any coverage
281 provided to an insured under a commercial coverage form and
282 rated from a commercial manual approved by the Office of
283 Insurance Regulation. However, insurers of such vehicles may
284 participate in the online verification system on a voluntary
285 basis.

286 (6) The department may adopt rules to administer this
287 section.

288 Section 5. Section 324.255, Florida Statutes, is created
289 to read:

290 324.255 Motor Vehicle Insurance Online Verification Task
291 Force.—There is created the Motor Vehicle Insurance Online
292 Verification Task Force within the department.

293 (1) The task force shall:

294 (a) Facilitate the implementation of the motor vehicle
295 insurance online verification system established in s. 324.252,
296 including recommending data and cybersecurity processes and
297 protocols.

298 (b) Assist in the development of a detailed guide for
299 insurers by providing data fields and other information
300 necessary for compliance with the online verification system.

301 (c) Coordinate a pilot program and conduct the program for
302 at least 9 months to test the online verification system and
303 identify necessary changes to be implemented before statewide
304 use.

305 (d) Issue recommendations based on periodic reviews of the
306 online verification system.

307 (2) The task force shall consist of nine voting members
308 and one nonvoting member.

309 (a) The nine voting members shall be appointed by July 31,
310 2020, in the following manner:

311 1. Three representatives of the department, representing
312 the Florida Highway Patrol, the Division of Motorist Services,
313 and the Information Systems Administration, appointed by the
314 executive director of the department.

315 2. One representative of the Office of Insurance
316 Regulation, appointed by the Commissioner of Insurance.

317 3. Three representatives of the motor vehicle insurance
318 industry, appointed by the Chief Financial Officer as follows:

319 a. One member must represent the motor vehicle insurer
320 with the largest national market share as of December 31, 2019.

321 b. One member must represent the motor vehicle insurer
322 with the largest Florida market share as of December 31, 2019.

323 c. One member must be selected from a list of
324 representatives recommended by the Insurance Industry Committee
325 on Motor Vehicle Administration.

326 4. One representative of the Department of Financial
327 Services, appointed by the Chief Financial Officer.

328 5. One representative of the Agency for State Technology,
329 appointed by the executive director of the agency.

330 (b) The executive director of the department, who shall be
331 a nonvoting member, shall serve as chair of the task force.

332 (3) By September 30, 2020, the task force shall meet to
333 establish procedures for the conduct of its business, and the
334 voting members shall elect a vice chair at that meeting. The
335 task force shall meet at the call of the chair, who shall
336 prepare the agenda for each meeting with the consent of the task
337 force. A majority of the voting members of the task force
338 constitutes a quorum, and a quorum is necessary for the purpose
339 of voting on any action or recommendation of the task force. All
340 meetings shall be held in Tallahassee.

341 (4) The department shall provide the task force members
342 with administrative and technical support. Task force members
343 shall serve without compensation and are not entitled to
344 reimbursement for per diem or travel expenses.

345 (5) The task force shall issue a report to the department,
346 the President of the Senate, and the Speaker of the House of
347 Representatives no later than 6 months after the pilot program
348 concludes. The report must evaluate the online verification
349 system's effectiveness in identifying uninsured motorists. The
350 task force may also make recommendations for system enhancements

351 in the report or at any time before the task force's completion
352 of its work.

353 (6) By July 1, 2023, the task force shall complete its
354 work and submit its final report evaluating the online
355 verification system's effectiveness and making recommendations
356 for system enhancements to the department, the President of the
357 Senate, and the Speaker of the House of Representatives. Upon
358 submission of the report, the task force shall expire.

359 Section 6. Section 624.01, Florida Statutes, is amended to
360 read:

361 624.01 Short title.—Chapters 624-632, 634, 635, 636, 641,
362 642, 647, 648, and 651 constitute the "Florida Insurance Code."

363 Section 7. Paragraph (c) of subsection (1) of section
364 626.321, Florida Statutes, is amended to read:

365 626.321 Limited licenses and registration.—

366 (1) The department shall issue to a qualified applicant a
367 license as agent authorized to transact a limited class of
368 business in any of the following categories of limited lines
369 insurance:

370 (c) Travel insurance.—License covering only policies and
371 certificates of travel insurance which are subject to review by
372 the office. Policies and certificates of travel insurance may
373 provide coverage for travel insurance, as defined in s. 647.02
374 ~~risks incidental to travel, planned travel, or accommodations~~
375 ~~while traveling, including, but not limited to, accidental death~~

376 ~~and dismemberment of a traveler; trip or event cancellation,~~
377 ~~interruption, or delay; loss of or damage to personal effects or~~
378 ~~travel documents; damages to travel accommodations; baggage~~
379 ~~delay; emergency medical travel or evacuation of a traveler; or~~
380 ~~medical, surgical, and hospital expenses related to an illness~~
381 ~~or emergency of a traveler. Such policy or certificate may be~~
382 ~~issued for terms longer than 90 days, but, other than a policy~~
383 ~~or certificate providing coverage for air ambulatory services~~
384 ~~only, each policy or certificate must be limited to coverage for~~
385 ~~travel or use of accommodations of no longer than 90 days. The~~
386 ~~license may be issued only to an individual or business entity~~
387 ~~that has filed with the department an application for a license~~
388 ~~in a form and manner prescribed by the department.~~÷

389 1. A limited lines travel insurance producer, as defined
390 s. 647.02, shall be licensed to sell, solicit, or negotiate
391 travel insurance through a licensed insurer.

392 2. A person may not act as a limited lines travel
393 insurance producer or travel retailer unless properly licensed
394 or registered, respectively. As used in this paragraph, the term
395 "travel retailer" means a business entity that:

396 a. Makes, arranges, or offers planned travel.

397 b. May, under subparagraph 3., offer and disseminate
398 travel insurance as a service to its customers on behalf of and
399 under the direction of a limited lines travel insurance
400 producer.

401 3. A travel retailer may offer and disseminate travel
402 insurance under a limited lines travel insurance producer
403 business entity license only if all of the following
404 requirements are met:

405 a. The limited lines travel insurance producer or travel
406 retailer provides to purchasers of travel insurance:

407 (I) A description of the material terms or the actual
408 material terms of the insurance coverage.

409 (II) A description of the process for filing a claim.

410 (III) A description of the review or cancellation process
411 for the travel insurance policy.

412 (IV) The identity and contact information of the insurer
413 and limited lines travel insurance producer.

414 b. At the time of licensure, the limited lines travel
415 insurance producer establishes and maintains a register on the
416 department's website and appoints each travel retailer that
417 offers travel insurance on behalf of the limited lines travel
418 insurance producer. The limited lines travel insurance producer
419 must maintain and update the register, which must include the
420 travel retailer's federal tax identification number and the
421 name, address, and contact information of the travel retailer
422 and an officer or person who directs or controls the travel
423 retailer's operations. The limited lines travel insurance
424 producer shall submit the register to the department upon
425 reasonable request. The limited lines travel insurance producer

426 shall also certify that the travel retailer register complies
427 with 18 U.S.C s. 1033. The grounds for the suspension and
428 revocation and the penalties applicable to resident insurance
429 producers under this section apply to the limited lines travel
430 insurance producers and travel retailers.

431 c. The limited lines travel insurance producer has
432 designated one of its employees as the designated responsible
433 producer. The designated responsible producer, who must be a
434 licensed insurance producer, is responsible for the compliance
435 with the travel insurance laws and regulations applicable to the
436 limited lines travel insurance producer and its registrants. The
437 designated responsible producer and the president, secretary,
438 treasurer, and any other officer or person who direct or control
439 the limited lines travel insurance producer's insurance
440 operations must comply with the fingerprinting requirements
441 applicable to insurance producers in the resident state of the
442 limited lines travel insurance producer.

443 d. The limited lines travel insurance producer has paid
444 all applicable licensing and appointment fees as set forth in
445 applicable general law.

446 e. The limited lines travel insurance producer requires
447 each employee and each authorized representative of the travel
448 retailer whose duties include offering and disseminating travel
449 insurance to receive a program of instruction or training, which
450 is subject, at the discretion of the department, to review and

451 approval. The training material must, at a minimum, contain
452 adequate instructions on the types of insurance offered, ethical
453 sales practices, and required disclosures to prospective
454 purchasers.

455
456 As used in this paragraph, the term "offer and disseminate"
457 means to provide general information, including a description of
458 the coverage and price, as well as processing the application
459 and collecting premiums.

460 4. A travel retailer offering or disseminating travel
461 insurance shall make available to prospective purchasers
462 brochures or other written materials that have been approved by
463 the travel insurer. Such materials must include information
464 that, at a minimum:

465 a. Provides the identity and contact information of the
466 insurer and the limited lines travel insurance producer.

467 b. Explains that the purchase of travel insurance is not
468 required in order to purchase any other product or service from
469 the travel retailer.

470 c. Explains that a travel retailer is authorized to
471 provide only general information about the insurance offered by
472 the travel retailer, including a description of the coverage and
473 price, but is not qualified or authorized to answer technical
474 questions about the terms and conditions of the insurance
475 offered by the travel retailer or to evaluate the adequacy of

476 the customer's existing insurance coverage.

477 5. A travel retailer employee or authorized representative
478 who is not licensed as an insurance producer may not:

479 a. Evaluate or interpret the technical terms, benefits,
480 and conditions of the offered travel insurance coverage;

481 b. Evaluate or provide advice concerning a prospective
482 purchaser's existing insurance coverage; or

483 c. Hold himself or herself or the travel retailer out as a
484 licensed insurer, licensed producer, or insurance expert.

485
486 Notwithstanding any other provision of law, a travel retailer
487 whose insurance-related activities, and those of its employees
488 and authorized representatives, are limited to offering and
489 disseminating travel insurance on behalf of and under the
490 direction of a limited lines travel insurance producer meeting
491 the conditions in this section may receive related compensation
492 upon registration by the limited lines travel insurance producer
493 as described in paragraph (2) (b).

494 6. As the insurer's designee, the limited lines travel
495 insurance producer is responsible for the acts of the travel
496 retailer and shall use reasonable means to ensure compliance by
497 the travel retailer with this section.

498 7. Any person licensed as a general or personal lines
499 insurance agent may sell, solicit, and negotiate travel
500 insurance.

501 ~~1. To a full-time salaried employee of a common carrier or~~
502 ~~a full-time salaried employee or owner of a transportation~~
503 ~~ticket agency and may authorize the sale of such ticket policies~~
504 ~~only in connection with the sale of transportation tickets, or~~
505 ~~to the full-time salaried employee of such an agent. Such policy~~
506 ~~may not be for more than 48 hours or more than the duration of a~~
507 ~~specified one-way trip or round trip.~~

508 ~~2. To an entity or individual that is:~~

509 ~~a. The developer of a timeshare plan that is the subject~~
510 ~~of an approved public offering statement under chapter 721;~~

511 ~~b. An exchange company operating an exchange program~~
512 ~~approved under chapter 721;~~

513 ~~c. A managing entity operating a timeshare plan approved~~
514 ~~under chapter 721;~~

515 ~~d. A seller of travel as defined in chapter 559; or~~

516 ~~e. A subsidiary or affiliate of any of the entities~~
517 ~~described in sub-subparagraphs a.-d.~~

518 ~~3. To a full-time salaried employee of a licensed general~~
519 ~~lines agent or a business entity that offers travel planning~~
520 ~~services if insurance sales activities authorized by the license~~
521 ~~are in connection with, and incidental to, travel.~~

522 ~~a. A license issued to a business entity that offers~~
523 ~~travel planning services must encompass each office, branch~~
524 ~~office, or place of business making use of the entity's business~~
525 ~~name in order to offer, solicit, and sell insurance pursuant to~~

526 ~~this paragraph.~~

527 ~~b. The application for licensure must list the name,~~
528 ~~address, and phone number for each office, branch office, or~~
529 ~~place of business that is to be covered by the license. The~~
530 ~~licensee shall notify the department of the name, address, and~~
531 ~~phone number of any new location that is to be covered by the~~
532 ~~license before the new office, branch office, or place of~~
533 ~~business engages in the sale of insurance pursuant to this~~
534 ~~paragraph. The licensee shall notify the department within 30~~
535 ~~days after the closing or terminating of an office, branch~~
536 ~~office, or place of business. Upon receipt of the notice, the~~
537 ~~department shall delete the office, branch office, or place of~~
538 ~~business from the license.~~

539 ~~e. A licensed and appointed entity is directly responsible~~
540 ~~and accountable for all acts of the licensee's employees and~~
541 ~~parties with whom the licensee has entered into a contractual~~
542 ~~agreement to offer travel insurance.~~

543
544 ~~A licensee shall require each individual who offers policies or~~
545 ~~certificates under subparagraph 2. or subparagraph 3. to receive~~
546 ~~initial training from a general lines agent or an insurer~~
547 ~~authorized under chapter 624 to transact insurance within this~~
548 ~~state. For an entity applying for a license as a travel~~
549 ~~insurance agent, the fingerprinting requirement of this section~~
550 ~~applies only to the president, secretary, and treasurer and to~~

551 ~~any other officer or person who directs or controls the travel~~
552 ~~insurance operations of the entity.~~

553 Section 8. Section 626.931, Florida Statutes, is amended
554 to read:

555 626.931 ~~Agent affidavit and~~ Insurer reporting
556 requirements.—

557 ~~(1) Each surplus lines agent that has transacted business~~
558 ~~during a calendar quarter shall on or before the 45th day~~
559 ~~following the calendar quarter file with the Florida Surplus~~
560 ~~Lines Service Office an affidavit, on forms as prescribed and~~
561 ~~furnished by the Florida Surplus Lines Service Office, stating~~
562 ~~that all surplus lines insurance transacted by him or her during~~
563 ~~such calendar quarter has been submitted to the Florida Surplus~~
564 ~~Lines Service Office as required.~~

565 ~~(2) The affidavit of the surplus lines agent shall include~~
566 ~~efforts made to place coverages with authorized insurers and the~~
567 ~~results thereof.~~

568 (1)~~(3)~~ Each foreign insurer accepting premiums shall, on
569 or before the end of the month following each calendar quarter,
570 file with the Florida Surplus Lines Service Office a verified
571 report of all surplus lines insurance transacted by such insurer
572 for insurance risks located in this state during such calendar
573 quarter.

574 (2)~~(4)~~ Each alien insurer accepting premiums shall, on or
575 before June 30 of each year, file with the Florida Surplus Lines

576 Service Office a verified report of all surplus lines insurance
577 transacted by such insurer for insurance risks located in this
578 state during the preceding calendar year.

579 (3)~~(5)~~ The department may waive the filing requirements
580 described in subsections (1)~~(3)~~ and (2)~~(4)~~.

581 (4)~~(6)~~ Each insurer's report and supporting information
582 shall be in a computer-readable format as determined by the
583 Florida Surplus Lines Service Office or shall be submitted on
584 forms prescribed by the Florida Surplus Lines Service Office and
585 shall show for each applicable agent:

586 (a) A listing of all policies, certificates, cover notes,
587 or other forms of confirmation of insurance coverage or any
588 substitutions thereof or endorsements thereto and the
589 identifying number; and

590 (b) Any additional information required by the department
591 or Florida Surplus Lines Service Office.

592 Section 9. Paragraph (a) of subsection (2) of section
593 626.932, Florida Statutes, is amended to read:

594 626.932 Surplus lines tax.—

595 (2)(a) The surplus lines agent shall make payable to the
596 department the tax related to each calendar quarter's business
597 as reported to the Florida Surplus Lines Service Office, and
598 remit the tax to the Florida Surplus Lines Service Office at the
599 same time as the fee payment required ~~provided for the filing of~~
600 ~~the quarterly affidavit,~~ under s. 626.9325 ~~s. 626.931~~. The

601 Florida Surplus Lines Service Office shall forward to the
602 department the taxes and any interest collected pursuant to
603 paragraph (b), within 10 days of receipt.

604 Section 10. Paragraph (d) of subsection (1) of section
605 626.935, Florida Statutes, is amended to read:

606 626.935 Suspension, revocation, or refusal of surplus
607 lines agent's license.—

608 (1) The department shall deny an application for, suspend,
609 revoke, or refuse to renew the appointment of a surplus lines
610 agent and all other licenses and appointments held by the
611 licensee under this code, on any of the following grounds:

612 ~~(d) Failure to make and file his or her affidavit or~~
613 ~~reports when due as required by s. 626.931.~~

614 Section 11. Subsection (4) of section 627.7295, Florida
615 Statutes, is amended to read:

616 627.7295 Motor vehicle insurance contracts.—

617 (4) The insurer may cancel the policy in accordance with
618 this code except that, notwithstanding s. 627.728, an insurer
619 may not cancel a new policy or binder during the first 30 ~~60~~
620 days immediately following the effective date of the policy or
621 binder for nonpayment of premium unless the reason for the
622 cancellation is the issuance of a check for the premium that is
623 dishonored for any reason or any other type of premium payment
624 that was subsequently determined to be rejected or invalid.

625 Section 12. Subsection (4) of section 627.914, Florida

Statutes, is renumbered as subsection (5), subsections (2) and (3) of that section are amended, and a new subsection (4) is added to that section, to read:

627.914 Reports of information by workers' compensation insurers required.—

(2) (a) Each insurer and self-insurance fund authorized to write a policy of workers' compensation insurance shall report ~~transmit~~ the following information annually on both Florida experience and nationwide experience separately:

1. ~~(a)~~ Payrolls by classification.

2. ~~(b)~~ Manual premiums by classification.

3. ~~(c)~~ Standard premiums by classification.

4. ~~(d)~~ Losses by classification and injury type.

5. ~~(e)~~ Expenses.

An insurer or self-insurance fund that is placed in receivership pursuant to part I of chapter 631 must continue to report the information required under this paragraph. At the discretion of the receiver, the insurer or self-insurance fund may outsource the reporting of such information to a third-party reporting vendor. The office shall approve a modified reporting plan that is limited in terms of data elements.

(b) A report of the ~~this~~ information required under paragraph (a) shall be filed no later than July 1 of each year. All reports shall be filed in accordance with standard reporting

651 procedures for insurers, which procedures have received approval
652 by the office, and shall contain data for the most recent policy
653 period available. A statistical or rating organization may be
654 used by insurers and self-insurance funds to report the data
655 required by this section. The statistical or rating organization
656 shall report each data element in the aggregate only for
657 insurers and self-insurance funds required to report under this
658 section who elect to have the organization report on their
659 behalf. Such insurers and self-insurance funds shall be named in
660 the report.

661 (3) Individual self-insurers as defined in s. 440.02 shall
662 report only Florida data as prescribed in subparagraphs
663 (2)(a)1.-5. ~~paragraphs (2)(a)-(e)~~ to the office.

664 (a) The office shall publish the dates and forms necessary
665 to enable individual self-insurers to comply with this section.

666 (b) A statistical or rating organization may be used by
667 individual self-insurers for the purposes of reporting the data
668 required by this section and calculating experience ratings.

669 (4) The office may use the information it receives under
670 this section in its adoption of rates and experience ratings
671 modifications.

672 Section 13. Section 634.171, Florida Statutes, is amended
673 to read:

674 634.171 Salesperson to be licensed and appointed.—
675 Salespersons for motor vehicle service agreement companies and

insurers shall be licensed, appointed, renewed, continued, reinstated, or terminated as prescribed in chapter 626 for insurance representatives in general. However, they shall be exempt from all other provisions of chapter 626 including fingerprinting, photo identification, education, and examination provisions. License, appointment, and other fees shall be those prescribed in s. 624.501. A licensed and appointed salesperson shall be directly responsible and accountable for all acts of her or his employees and other representatives. Each service agreement company or insurer shall, on forms prescribed by the department, within 30 days after termination of the appointment, notify the department of such termination. An ~~No~~ employee or salesperson of a motor vehicle service agreement company or insurer may not directly or indirectly solicit or negotiate insurance contracts, or hold herself or himself out in any manner to be an insurance agent, unless so qualified, licensed, and appointed therefor under the Florida Insurance Code. A licensed personal lines or general lines agent is not required to be licensed as a salesperson under this section to advertise, solicit, negotiate, or sell motor vehicle service agreements. A motor vehicle service agreement company is not required to be licensed as a salesperson to solicit, sell, issue, or otherwise transact the motor vehicle service agreements issued by the motor vehicle service agreement company.

Section 14. Section 634.317, Florida Statutes, is amended

701 to read:

702 634.317 License and appointment required.—A ~~No~~ person may
703 not solicit, negotiate, or effectuate home warranty contracts
704 for remuneration in this state unless such person is licensed
705 and appointed as a sales representative. A licensed and
706 appointed sales representative shall be directly responsible and
707 accountable for all acts of the licensee's employees. A licensed
708 personal lines or general lines agent is not required to be
709 licensed as a sales representative under this section to
710 advertise, solicit, negotiate, or sell home warranties.

711 Section 15. Section 634.419, Florida Statutes, is amended
712 to read:

713 634.419 License and appointment required.—A ~~No~~ person or
714 entity may not ~~shall~~ solicit, negotiate, advertise, or
715 effectuate service warranty contracts in this state unless such
716 person or entity is licensed and appointed as a sales
717 representative. Sales representatives shall be responsible for
718 the actions of persons under their supervision. However, a
719 service warranty association licensed as such under this part
720 shall not be required to be licensed and appointed as a sales
721 representative to solicit, negotiate, advertise, or effectuate
722 its products. A licensed personal lines or general lines agent
723 is not required to be licensed as a sale representative under
724 this section to advertise, solicit, negotiate, or sell service
725 warranties.

726 Section 16. The Division of Law Revision is directed to
727 create chapter 647, Florida Statutes, consisting of ss. 647.01-
728 647.08, Florida Statutes, to be entitled "Travel Insurance."

729 Section 17. Section 647.01, Florida Statutes, is created
730 to read:

731 647.01 Purpose and scope.—

732 (1) The purpose of this chapter is to promote the public
733 welfare by creating a comprehensive legal framework within which
734 travel insurance may be sold in this state.

735 (2) This chapter applies to:

736 (a) Travel insurance that covers any resident of this
737 state and that is sold, solicited, negotiated, or offered in
738 this state.

739 (b) Policies and certificates that are delivered or issued
740 for delivery in this state.

741
742 This chapter does not apply to cancellation fee waivers or
743 travel assistance services, except as expressly provided in this
744 chapter.

745 (3) All other applicable provisions of the insurance laws
746 of this state continue to apply to travel insurance, except that
747 the specific provisions of this chapter shall supersede any
748 general provisions of law that would otherwise be applicable to
749 travel insurance.

750 Section 18. Section 647.02, Florida Statutes, is created

751 to read:

752 647.02 Definitions.—As used in this chapter, the term:

753 (1) "Aggregator site" means a website that provides access
754 to information regarding insurance products from more than one
755 insurer, including product and insurer information, for use in
756 comparison shopping.

757 (2) "Blanket travel insurance" means a policy of travel
758 insurance issued to an eligible group providing coverage to all
759 members of the eligible group without a separate charge to
760 individual members of the eligible group.

761 (3) "Cancellation fee waiver" means a contractual
762 agreement between a supplier of travel services and its customer
763 to waive some or all of the nonrefundable cancellation fee
764 provisions of the supplier's underlying travel contract with or
765 without regard to the reason for the cancellation or form of
766 reimbursement. A cancellation fee waiver is not insurance.

767 (4) "Department" means the Department of Financial
768 Services.

769 (5) "Eligible group," solely for the purposes of travel
770 insurance, means two or more persons who are engaged in a common
771 enterprise or who have an economic, educational, or social
772 affinity or relationship, including, but not limited to, any of
773 the following:

774 (a) An entity engaged in the business of providing travel
775 or travel services, including, but not limited to:

776 1. A tour operator, lodging provider, vacation property
777 owner, hotel, resort, travel club, travel agency, property
778 manager, and cultural exchange program.

779 2. An operator, owner, or lessor of a means of
780 transportation of passengers, including, but not limited to, a
781 common carrier, airline, cruise line, railroad, steamship
782 company, and public bus carrier.

783
784 With regard to any particular travel or type of travel or
785 travelers, all members or customers of the group must have a
786 common exposure to risk attendant to such travel.

787 (b) A university, college, school, or other institution of
788 learning, covering students, teachers, employees, or volunteers.

789 (c) An employer covering any group of employees,
790 volunteers, contractors, board of directors, dependents, or
791 guests.

792 (d) A sports team or camp, or a sponsor thereof, covering
793 participants, members, campers, employees, officials,
794 supervisors, or volunteers.

795 (e) A religious, charitable, recreational, educational, or
796 civic organization, or a branch thereof, covering any group of
797 members, participants, or volunteers.

798 (f) A financial institution or financial institution
799 vendor, or a parent holding company, trustee, or agent of or
800 designated by one or more financial institutions or financial

801 institution vendors, including account holders, credit card
802 holders, debtors, guarantors, or purchasers.

803 (g) An incorporated or unincorporated association,
804 including a labor union, having a common interest and
805 constitution and bylaws, which is organized and maintained in
806 good faith for purposes other than obtaining insurance coverage
807 for its members or participants.

808 (h) A trust or the trustees of a fund that covers its
809 members, employees, or customers and is established, created, or
810 maintained for the benefit of its members, employees, or
811 customers, subject to:

812 1. The department's authorizing the use of a trust.

813 2. The premium tax provisions in s. 647.03 applicable to
814 incorporated or unincorporated associations that have a common
815 interest and constitution and bylaws and that are organized and
816 maintained in good faith for purposes other than obtaining
817 insurance coverage for their members, employees, or customers.

818 (i) An entertainment production company covering any group
819 of participants, volunteers, audience members, contestants, or
820 workers.

821 (j) A volunteer fire department, ambulance, rescue,
822 police, court, first-aid, civil defense, or other such volunteer
823 group.

824 (k) A preschool, daycare institution for children or
825 adults, or senior citizen club.

826 (1) An automobile or truck rental or leasing company
827 covering a group of individuals who may become renters, lessees,
828 or passengers as defined by their travel status on the rented or
829 leased vehicles. The common carrier, the operator, owner, or
830 lessor of a means of transportation, or the motor vehicle or
831 truck rental or leasing company is the policyholder under a
832 policy to which this section applies.

833 (m) Any other group for which the department has made the
834 following determinations:

835 1. The group members are engaged in a common enterprise or
836 have an economic, educational, or social affinity or
837 relationship.

838 2. Issuance of the travel insurance policy is not contrary
839 to the public interest.

840 (6) "Fulfillment materials" means documentation sent to
841 the purchaser of a travel protection plan confirming the
842 purchase and providing the travel protection plan's coverage and
843 assistance details.

844 (7) "Group travel insurance" means travel insurance issued
845 to an eligible group.

846 (8) "Limited lines travel insurance producer" means:

847 (a) A licensed or third-party administrator;

848 (b) A licensed insurance producer, including a limited
849 lines producer; or

850 (c) A travel administrator.

851 (9) "Travel administrator" means a person who directly or
852 indirectly underwrites policies for, collects charges,
853 collateral, or premiums from, or adjusts or settles claims on,
854 residents of this state, in connection with travel insurance,
855 except that a person is not considered a travel administrator if
856 the person is:

857 (a) A person working for a travel administrator to the
858 extent that the person's activities are subject to the
859 supervision and control of the travel administrator;

860 (b) An insurance producer selling insurance or engaged in
861 administrative and claims-related activities within the scope of
862 the producer's license;

863 (c) A travel retailer, as defined s. 626.321(1)(c)2.,
864 offering and disseminating travel insurance and registered under
865 the license of a limited lines travel insurance producer in
866 accordance with s. 626.321(1)(c);

867 (d) A person adjusting or settling claims in the normal
868 course of the person's practice or employment as an attorney at
869 law, without collecting charges or premiums in connection with
870 insurance coverage; or

871 (e) A business entity that is affiliated with a licensed
872 insurer while acting as a travel administrator for the direct
873 and assumed insurance business of the affiliated insurer.

874 (10) "Travel assistance services" means noninsurance
875 services for which the consumer is not indemnified based on a

876 fortuitous event, and the provision of which does not result in
877 transfer or shifting of risk which would constitute the business
878 of insurance. The term includes, but is not limited to, security
879 advisories, destination information, vaccination and
880 immunization information services, travel reservation services,
881 entertainment, activity and event planning, translation
882 assistance, emergency messaging, international legal and medical
883 referrals, medical case monitoring, coordination of
884 transportation arrangements, emergency cash transfer assistance,
885 medical prescription replacement assistance, passport and travel
886 document replacement assistance, lost luggage assistance,
887 concierge services, and any other service that is furnished in
888 connection with planned travel. Travel assistance services are
889 not insurance and not related to insurance.

890 (11) "Travel insurance" means insurance coverage for
891 personal risks incidental to planned travel, including:

- 892 (a) Interruption or cancellation of trip or event;
893 (b) Loss of baggage or personal effects;
894 (c) Damages to accommodations or rental vehicles;
895 (d) Sickness, accident, disability, or death occurring
896 during travel;
897 (e) Emergency evacuation;
898 (f) Repatriation of remains; or
899 (g) Any other contractual obligations to indemnify or pay
900 a specified amount to the traveler upon determinable

901 contingencies related to travel as determined by the office.

902
903 The term does not include major medical plans that provide
904 comprehensive medical protection for travelers with trips
905 lasting longer than 6 months, including major medical plans for
906 those working or residing overseas as expatriates, or any other
907 product that requires a specific insurance producer license.

908 (12) "Travel protection plan" means a plan that provides
909 one or more of the following: travel insurance, travel
910 assistance services, and cancellation fee waivers.

911 Section 19. Section 647.03, Florida Statutes, is created
912 to read:

913 647.03 Premium tax.—

914 (1) As used in this section, the term:

915 (a) "Primary certificateholder" means an individual who
916 purchases travel insurance under a group policy.

917 (b) "Primary policyholder" means an individual who
918 purchases individual travel insurance.

919 (2) A travel insurer shall pay the premium tax, as
920 required under s. 624.509, on travel insurance premiums paid by
921 any of the following:

922 (a) A primary policyholder who is a resident of this
923 state.

924 (b) A primary certificateholder who is a resident of this
925 state.

926 (c) A blanket travel insurance policyholder:

927 1. Who is a resident in this state;

928 2. Who has his or her principal place of business in this
929 state; or

930 3. Whose affiliate or subsidiary who has purchased blanket
931 travel insurance for eligible blanket group members has his or
932 her principal place of business in this state.

933
934 The premium tax under this subsection is subject to any
935 apportionment rules that apply to an insurer across multiple
936 taxing jurisdictions or that authorize an insurer to allocate
937 premium on an apportioned basis in a reasonable and equitable
938 manner in those jurisdictions.

939 (3) A travel insurer shall:

940 (a) Document the state of residence or principal place of
941 business of the policyholder or certificateholder, or an
942 affiliate or subsidiary thereof, as required under subsection
943 (2).

944 (b) Report as premium only the amount allocable to travel
945 insurance and not any amounts received for travel assistance
946 services or cancellation fee waivers.

947 Section 20. Section 647.04, Florida Statutes, is created
948 to read:

949 647.04 Travel protection plans.—A travel protection plan
950 may be offered for one price for the combined features that the

951 travel protection plan offers in this state if the travel
952 protection plan meets all of the following requirements:

953 (1) The travel protection plan clearly discloses to the
954 consumer, at or before the time of purchase, that it includes
955 travel insurance, travel assistance services, and cancellation
956 fee waivers, as applicable, and provides information and an
957 opportunity, at or before the time of purchase, for the consumer
958 to obtain additional information regarding the features and
959 pricing of each.

960 (2) The fulfillment materials:

961 (a) Describe and delineate the travel insurance, travel
962 assistance services, and cancellation fee waivers in the travel
963 protection plan.

964 (b) Include the travel insurance disclosures required in
965 this chapter, the contact information for persons providing
966 travel assistance services, and cancellation fee waivers, as
967 applicable.

968 Section 21. Section 647.05, Florida Statutes, is created
969 to read:

970 647.05 Sales practices.—

971 (1)(a) All documents provided to a consumer before the
972 purchase of travel insurance, including, but not limited to,
973 sales materials, advertising materials, and marketing materials,
974 must be consistent with the travel insurance policy, including,
975 but not limited to, forms, endorsements, policies, rate filings,

976 and certificates of insurance.

977 (b) For travel insurance policies or certificates that
978 contain preexisting condition exclusions, information and an
979 opportunity to learn more about the preexisting condition
980 exclusions must be provided any time before the purchase.
981 Information on the exclusions and the opportunity to learn more
982 about these exclusions must be included in the coverage's
983 fulfillment materials.

984 (c) The fulfillment materials and the information
985 described in s. 626.321(1)(c)3.a. must be provided to a
986 policyholder or certificateholder as soon as practicable after
987 the purchase of a travel protection plan. Unless the insured has
988 started a covered trip or filed a claim under the travel
989 insurance coverage, the policyholder or certificateholder may
990 cancel a policy or certificate for a full refund of the travel
991 protection plan price from the date of purchase of a travel
992 protection plan until at least:

993 1. Fifteen days after the date of delivery of the travel
994 protection plan's fulfillment materials by postal mail; or

995 2. Ten days after the date of delivery of the travel
996 protection plan's fulfillment materials by means other than
997 postal mail.

998
999 For the purposes of this paragraph, the term "delivery" means
1000 handing fulfillment materials to the policyholder or

1001 certificateholder or sending fulfillment materials by postal
1002 mail or electronic means to the policyholder or
1003 certificateholder.

1004 (d) An insurer shall disclose in the policy documentation
1005 and fulfillment materials whether the travel insurance is
1006 primary or secondary to other applicable coverage.

1007 (e) If travel insurance is marketed directly to a consumer
1008 through an insurer's website or by others through an aggregator
1009 site, it is not an unfair trade practice or other violation of
1010 law if the following requirements are met:

1011 1. The web page provides an accurate summary or short
1012 description of the coverage.

1013 2. The consumer has access to the full provisions of the
1014 policy through electronic means.

1015 (2) A person offering, soliciting, or negotiating travel
1016 insurance or travel protection plans on an individual or group
1017 basis may not do so by using a negative or opt-out option that
1018 would require a consumer to take an affirmative action to
1019 deselect coverage, such as unchecking a box on an electronic
1020 form, when the consumer purchases a trip.

1021 (3) If a consumer's destination jurisdiction requires
1022 insurance coverage, it is not an unfair trade practice to
1023 require that the consumer choose between the following options
1024 as a condition of purchasing a trip or travel package:

1025 (a) Purchasing the coverage required by the destination

jurisdiction through the travel retailer, as defined s.
626.321(1)(c)2., or limited lines travel insurance producer
supplying the trip or travel package; or

(b) Agreeing to obtain and provide proof of coverage that
meets the destination jurisdiction's requirements before
departure.

(4)(a) A person offering travel insurance to residents of
this state is subject to part IX of chapter 626, the Unfair
Insurance Trade Practices Act, except as otherwise provided in
this chapter. If a conflict arises between this chapter and the
Unfair Insurance Trade Practices Act regarding the sale and
marketing of travel insurance and travel protection plans, the
provisions of this chapter shall control.

(b) A person commits an unfair insurance trade practice
under the Unfair Insurance Trade Practices Act if the person:

1. Offers or sells a travel insurance policy that could
never result in payment of any claims for any insured under the
policy; or

2. Markets blanket travel insurance coverage as free.

Section 22. Section 647.06, Florida Statutes, is created
to read:

647.06 Travel administrators.—

(1) Notwithstanding any other provision of the Florida
Insurance Code, a person may not act or represent himself or
herself as a travel administrator in this state unless the

1051 person:

1052 (a) Is a licensed and appointed property and casualty
1053 insurance producer in this state for activities authorized under
1054 that producer license;

1055 (b) Is a licensed insurance agency, appointed as a
1056 managing general agent in this state; or

1057 (c) Holds a valid third-party administrator license in
1058 this state.

1059 (2) A travel administrator and its employees are exempt
1060 from the licensing requirements of part VI of chapter 626 for
1061 the travel insurance it administers.

1062 (3) An insurer is responsible for ensuring that a travel
1063 administrator administering travel insurance underwritten by the
1064 insurer:

1065 (a) Acts in accordance with this chapter.

1066 (b) Maintains all books and records that are relevant to
1067 the insurer and makes these books and records available to the
1068 department upon request.

1069 Section 23. Section 647.07, Florida Statutes, is created
1070 to read:

1071 647.07 Travel insurance policy.—

1072 (1) Notwithstanding any other provision of the Florida
1073 Insurance Code, travel insurance shall be classified and filed
1074 for purposes of rates and forms under the inland marine line of
1075 insurance; however, travel insurance that provides coverage for

sickness, accident, disability, or death occurring during travel, either exclusively or in conjunction with related coverages of emergency evacuation or repatriation of remains, or incidental limited property and casualty benefits such as baggage or trip cancellation, may be classified and filed for purposes of rates and forms under either the accident and health line of insurance or the inland marine line of insurance.

(2) Travel insurance may be in the form of an individual, group, or blanket policy. Group or blanket policies are classified as commercial inland marine insurance under s. 627.021(2)(d). Travel insurance policies not issued to a commercial entity and primarily used for personal, family, or household purposes is considered personal inland marine insurance, and shall not be subject to s. 627.062. Sections of policies or endorsements for travel insurance that are considered personal inland marine consisting of travel assistance services or cancellation fee waivers are not subject to s. 627.410.

(3) Travel insurance programs may be developed and provided based on travel protection plans designed for individual or identified marketing or distribution channels.

Section 24. Section 647.08, Florida Statutes, is created to read:

647.08 Rulemaking authority.—The department shall adopt

1101 | rules to administer this chapter.

1102 | Section 25. This act shall take effect July 1, 2020.